

FILED

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10 TERESA PARKER

2010 FEB -2 AM 10:17

CLERK, U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13 **WESTERN DIVISION**

14 TERESA PARKER,

15 Plaintiff,

16 v.

17 REDLINE RECOVERY SERVICES

18 LLC.,

19 Defendant.

CV10 0724 RC

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

(Unlawful Debt Collection Practices)

20 **VERIFIED COMPLAINT**

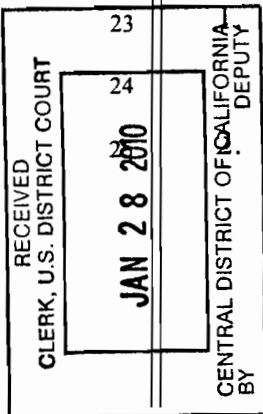
21 TERESA PARKER (Plaintiff), through her attorneys, CENTURY LAW
22 GROUP LLP., allege the following against REDLINE RECOVERY SERVICES
23 LLC. (Defendant):

24 **INTRODUCTION**

Count I of Plaintiff's Complaint is based on the Fair Debt Collection
Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).

Count II of the Plaintiff's Complaint is based on Rosenthal Fair Debt
Collection Practices Act, Cal. Civ. Code §1788 et seq. (RFDCPA).

PLAINTIFF'S VERIFIED COMPLAINT



JURISDICTION AND VENUE

3. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and *28 U.S.C. 1367* grants this court supplemental jurisdiction over the state claims contained therein.

4. Defendant conducts business in the state of California, and therefore, personal jurisdiction is established.

5. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

6. Declaratory relief is available pursuant to *28 U.S.C. 2201 and 2202*.

PARTIES

7. Plaintiff is a natural person residing in Lancaster, Los Angeles County, California.

8. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)* and *Cal. Civ. Code § 1788.2(h)*.

9. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)* and *Cal. Civ. Code § 1788.2(c)*, and sought to collect a consumer debt from Plaintiff.

10. Defendant is a national company and maintains an office in Amherst, Erie County, New York.

11. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

12. Defendant called Plaintiff from 866-388-4208.
13. Defendant called Plaintiff at 661-361-2995, Plaintiff's cell phone number.
14. Defendant callers called and left voicemail messages that did not state that the communication was from a debt collector. (See transcribed voicemail messages attached as group Exhibit A.)
15. Defendant caller did not state the name of the company he is calling from. (See Exhibit A.)
16. Defendant called Plaintiff's parents at 928-768-1562.
17. Defendant called Plaintiff's parents from 716-250-4857.
18. Defendant caller disclosed to Plaintiff's parents that Plaintiff owed a debt. (See statement from third party attached as group Exhibit B.)
19. Defendant caller stated to Plaintiff, "You are going to lose your house to a lawsuit."
20. To date, Defendant did not file suit against Plaintiff.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

21. Defendant violated the FDCPA based on the following:
 - a. Defendant violated §1692b(2) of the FDCPA because Defendant called a third party, Plaintiff's parents, and disclosed that Plaintiff owes a debt.
 - b. Defendant violated §1692c(b) of the FDCPA because Defendant engaged in prohibited communication practices by contacting third parties in connection with the collection of Plaintiff's alleged debt

1 c. Defendant violated §1692d of the FDCPA because Defendant
2 engaged in conduct the natural consequence of which is to harass,
3 oppress, or abuse Plaintiff when it called Plaintiff and Plaintiff's
4 parents.
5

6 d. Defendant violated §1692d of the FDCPA because Defendant
7 engaged in conduct the natural consequence of which is to harass,
8 oppress, or abuse Plaintiff when it threatened to file a lawsuit against
9 Plaintiff.
10

11 e. Defendant violated §1692d(5) of the FDCPA by causing a telephone
12 to ring repeatedly and continuously with the intent to annoy, abuse,
13 and harass Plaintiff.
14

15 f. Defendant violated §1692d(6) of the FDCPA because Defendant
16 placed calls to Plaintiff without meaningful disclosure of Defendant's
17 identity when it did not leave the name of the company in a voicemail
18 message.
19

20 g. Defendant violated §1692(e) of the FDCPA because Defendant made
21 a false, deceptive or misleading statement in connection with the
22 collection of the alleged debt when it stated that Defendant will file a
23 lawsuit against Plaintiff while Defendant did not intend to take such
24 action.
25

1 h. Defendant violated §1692(e) of the FDCPA because Defendant made
2 a false, deceptive or misleading statement in connection with the
3 collection of the alleged debt by failing to disclose in subsequent
4 communications that the communication was from a debt collector.
5

6 i. Defendant violated §1692e(5) of the FDCPA because Defendant
7 made a false, deceptive or misleading statement in connection with
8 the collection of the alleged debt when it stated that Defendant will
9 file a lawsuit against Plaintiff while Defendant did not intend to take
10 such action.
11

12 j. Defendant violated §1692e(10) of the FDCPA because Defendant
13 stated it will file a lawsuit against Plaintiff only to induce Plaintiff to
14 pay the alleged debt or obtain information concerning Plaintiff.
15

16 k. Defendant violated §1692e(11) of the FDCPA by failing to disclose
17 in subsequent communications that the communication was from a
18 debt collector.
19

20 l. Defendant violated §1692f of the FDCPA because Defendant used
21 unfair and unconscionable means to collect the alleged debt when it
22 threatened to sue and did not do so.
23

24 WHEREFORE, Plaintiff, TERESA PARKER respectfully requests
25 judgment be entered against Defendant, REDLINE RECOVERY SERVICES
LLC., for the following:

1 22. Declaratory judgment that Defendant's conduct violated the Fair Debt
2 Collection Practices Act,

3 23. Statutory damages for each plaintiff individually pursuant to the Fair Debt
4 Collection Practices Act, *15 U.S.C. 1692k*,

5 24. Actual damages,

6 25. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection
7 Practices Act, *15 U.S.C. 1692k*

8 26. Any other relief that this Honorable Court deems appropriate.

9 **COUNT II**
10 **DEFENDANT VIOLATED THE ROSENTHAL FAIR DEBT**
11 **COLLECTION PRACTICES ACT**

12 27. Plaintiff repeats and realleges all of the allegations in Count I of Plaintiff's
13 Complaint as the allegations in Count II of Plaintiff's Complaint.

14 28. Defendant violated the RFDCPA based on the following:

- 15 a. Defendant violated §1788.10(f) of the RFDCPA by threatening to
16 take action against Plaintiff.
- 17 b. Defendant violated §1788.11(b) of the RFDCPA by placing telephone
18 calls without meaningful disclosure of the caller's identity.
- 19 c. Defendant violated §1788.12(b) of the RFDCPA by communicating
20 information regarding Plaintiff's alleged debt to Plaintiff's parent.
- 21 d. Defendant violated §1788.13(j) of the RFDCPA by falsely
22 representing that a legal proceeding will be or are about to be initiated
23 unless Plaintiff pays the alleged debt.
- 24 e. Defendant violated the §1788.17 of the RFDCPA by continuously
25 failing to comply with the statutory regulations contained within the
FDCPA, *15 U.S.C. § 1692 et seq.*

1 WHEREFORE, Plaintiff, TERESA PARKER, respectfully request judgment
2 be entered against Defendant, REDLINE RECOVERY SERVICES LLC., for the
3 following:

4 29. Declaratory judgment that Defendant's conduct violated the Rosenthal Fair
5 Debt Collection Practices Act,

6 30. Statutory damages for each plaintiff individually pursuant to the Rosenthal
7 Fair Debt Collection Practices Act, *Cal. Civ. Code §1788.30(b)*,

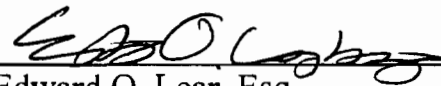
8 31. Actual damages,

9 32. Costs and reasonable attorneys' fees pursuant to the Rosenthal Fair Debt
10 Collection Practices Act, *Cal. Civ Code § 1788.30(c)*, and

11 33. Any other relief that this Honorable Court deems appropriate.
12

13 DATED: January 26, 2010

CENTURY LAW GROUP LLP

14
15
16 
17 Edward O. Lear, Esq.
18 Attorney for Plaintiff
19 Teresa Parker
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DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, TERESA PARKER, demands a jury trial in this case.

DATED: January 20, 2010

CENTURY LAW GROUP LLP

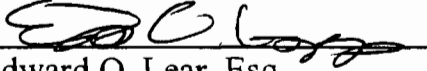

Edward O. Lear, Esq.
Attorney for Plaintiff
Teresa Parker

EXHIBIT A

Teresa Parker v. Redline Recovery Services LLC

Voicemail message 1:

This message is intended solely for Teresa Parker. This is Mr. Thomas (unintelligible) I have an issue here in the office that needs your most immediate attention. (unintelligible) It is important that we are in contact, (unintelligible) until 9 p.m. eastern standard, reference is 3114610 the phone number toll free here in New York is 866-388-4208 direct extension 4781.

Voicemail message 2:

This message is for Teresa Parker. Will you please contact me, (unintelligible) toll free number 866-388-4208 direct extension 4787. Thank you.

EXHIBIT B

Teresa Parker v Redline Recovery Services LLC

Third Party Statements- Exhibit B

My name is E. Martha Parker, some guy called my house (caller id said 716-250-4857) about 3 weeks ago, he said his name was Mr. Thomas, he was calling about Teresa Parker (she is my daughter). I said she doesn't live here. He said she has a law suit against her, case #311-4610 out of L.A. County, for money she owes. I said she hasn't lived there in years, but I was thinking Stanislaus county. He said doesn't she live in Lancaster, Ca. I said yes, he said at 47082 Kings Canyon Road I said yes, he said have her call me Mr. Thomas at 716-250-4857 ext:4781 signed E. Martha Parker

My name is William Parker I am Teresa Parker's father. I received a phone call a month ago from some guy he said his name was Mr. Thomas our caller id showed 716-250-4857. He said he was calling to get ahold of Teresa Parker, he said someone is suing her over her owing money, and that she would lose her house and everything else. He needed to get ahold of her, he wanted me to talk to her and tell her to call him at 716 250-4857 signed William Parker

VERIFICATION OF COMPLAINT AND CERTIFICATION

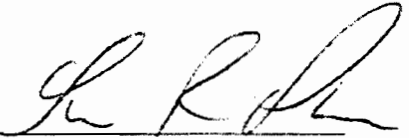
STATE OF CALIFORNIA

Plaintiff, TERESA PARKER, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, TERESA PARKER hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

DATE: 1-19-10


TERESA PARKER

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE TO COUNSEL
(MAGISTRATE JUDGE CIVIL CONSENT PILOT PROJECT)**

The court has directed that the following rules be specifically called to your attention:

- I. Notice of Right to Consent to Disposition of a Civil Case by a United States Magistrate Judge [28 U.S.C. § 636(c) and General Order 08-09].
- II. Continuing Obligation to Report Related Cases (Local Rule 83-1.3.3)
- III. Service of Papers and Process (Local Rule 4)

I. NOTICE OF RIGHT TO CONSENT TO DISPOSITION OF A CIVIL CASE BY A UNITED STATES MAGISTRATE

Pursuant to Local Rule 73-2, the initiating party must serve this notice and consent form CV-11C on each party at the time of service of the summons and complaint or other initial pleading.

This case has been randomly assigned to Magistrate Judge Chapman under the Civil Consent Pilot Project in accordance with General Order 08-09. The case number on all documents filed with the court should read as follows: CV10 0724

The parties are advised that they may consent to have the assigned magistrate judge conduct all further proceedings in the case, including trial and final entry of judgment pursuant to 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73. The parties may consent to proceed only before the assigned magistrate judge.

The parties are further advised that they are free to withhold consent without adverse substantive consequences. If the parties agree to the exercise of jurisdiction by the magistrate judge, the parties shall jointly or separately file a statement of consent setting forth such election. For cases originally filed in district court and initially assigned only to a magistrate judge, the statement of consent shall be filed within 30 days after service of the summons and complaint upon that defendant, and within 30 days by plaintiff after service upon the first-served defendant.

For cases removed from state court and initially assigned only to a magistrate judge, a joint or separate statements of consent shall be filed by plaintiff and all defendants upon whom service has been effected, within 11 days after the notice of removal is filed.

Since magistrate judges do not handle felony criminal trials, civil trial dates are not at risk of being preempted by a felony criminal trial, which normally has priority. Further, in some cases, the magistrate judge may be able to assign an earlier trial date than a district judge. There may be other advantages or disadvantages which you will want to consider.

Any appeal from a judgment of the magistrate judge shall be taken to the United States Court of Appeals in the same manner as an appeal from any other judgment of the district court in accordance with 28 U.S.C. § 636(c)(3).

If a party has not consented to the exercise of jurisdiction by the magistrate judge within the time

required by Local Rule 73-2, the case shall be randomly reassigned to a district judge and a magistrate judge shall be randomly assigned to the reassigned case as the discovery judge.

You may contact the Civil Consent Case Coordinator at (213) 894-4446 or consentcoordinator@cacd.uscourts.gov if you have any questions about this new Pilot Project.

II. CONTINUING OBLIGATION TO REPORT RELATED CASES

Parties are under the continuing obligation to promptly advise the Court whenever one or more civil actions or proceedings previously commenced and one or more currently filed appear to be related.

Local Rule 83-1.3.3 states: "It shall be the continuing duty of the attorney in any case promptly to bring to the attention of the Court, by filing a Notice of Related Case(s) pursuant to Local Rule 83-1.3, all facts which in the opinion of the attorney or party appear relevant to a determination whether such action and one or more pending actions should, under the criteria and procedures set forth in Local Rule 83-1.3, be heard by the same judge."

Local Rule 83-1.2.1 states: "It is not permissible to dismiss and thereafter refile an action for the purpose of obtaining a different judge."

Local Rule 83-1.2.2 provides: Whenever an action is dismissed by a party or by the Court before judgment and thereafter the same or essentially the same claims, involving the same or essentially the same parties, are alleged in another action, the later-filed action shall be assigned to the judge to whom the first-filed action was assigned. It shall be the duty of every attorney in any such later-filed action to bring those facts to the attention of the Court in the Civil Cover Sheet and by the filing of a Notice of Related Case(s) pursuant to L.R. 83-1.3.

III. SERVICE OF PAPERS AND PROCESS

Local Rule 4-2 states: "Except as otherwise provided by order of Court, or when required by the treaties or statutes of the United States, process shall not be presented to a United States Marshal for service." Service of process must be accomplished in accordance with Rule 4 of the Federal Rules of Civil Procedure or in any manner provided by State Law, when applicable. Service upon the United States, an officer or agency thereof, shall be served pursuant to the provisions of FRCP 4(I). Service should be promptly made; unreasonable delay may result in dismissal of the action under Local Rule 41 and Rule 4(m) of the Federal Rules of Civil Procedure. Proof of service or a waiver of service of summons and complaint must be filed with the court.

NAME, ADDRESS & TELEPHONE NUMBER OF ATTORNEY(S) FOR, OR, PLAINTIFF
OR DEFENDANT IF PLAINTIFF OR DEFENDANT IS PRO PER

ATTORNEYS FOR:

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TERESA PARKER

Plaintiff(s),

CASE NUMBER

CV10- 724 RC

V.

**REDLINE RECOVERY SERVICES
LLC**

Defendant(s)

**STATEMENT OF CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE
(For use in Magistrate Judge
Civil Consent Pilot Project Cases only)**

**THIS FORM SHALL BE USED ONLY FOR CASES IN WHICH A MAGISTRATE JUDGE IS
INITIALLY ASSIGNED PURSUANT TO LOCAL RULE 73-2**

All parties to the above-captioned civil matter are to check one of the two following options and file this document with the Clerk's Office:

- ☐ In accordance with the provisions of 28 U.S.C. § 636(C) and F.R.Civ.P.73(b), the party or parties listed below to the above-captioned civil matter hereby waive their right to proceed before a District Judge and Consent to have the assigned Magistrate Judge Rosalyn M. Chapman conduct all further proceedings in the case, including trial and entry of final judgment.

Any appeal from a judgment of the assigned Magistrate Judge shall be taken to the United States Court of Appeals in the same manner as an appeal from any other judgment of the District Court in accordance with 28 U.S.C. § 636(c)(3).

- ☐ The party or parties listed below to the above-captioned civil matter Do Not Consent to proceed before the assigned Magistrate Judge Rosalyn M. Chapman.

The party or parties listed below acknowledge that they are free to withhold consent without adverse substantive consequences.

Name of Counsel (OR Party if Pro Per)

Signature and date

Counsel for (Name Parties)

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- ☐ Check this box if all parties have consented to proceed before the assigned Magistrate Judge.

NOTICE TO COUNSEL FROM CLERK

All parties having consented to proceed before the assigned magistrate judge, this case will remain assigned to United States Magistrate Judge Rosalyn M. Chapman for all further proceedings.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TERESA PARKER,

PLAINTIFF(S)

v.

REDLINE RECOVERY Services
LLC

DEFENDANT(S).

CASE NUMBER

CV10 0724 RC**SUMMONS**TO: DEFENDANT(S): REDLINE RECOVERY LLC

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Edward O. Lear, whose address is 5200 W. Century Blvd. Suite #345 Los Angeles, CA 90045. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: FEB - 2 2010By: CHRISTOPHER POWERS
Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) TERESA PARKER	DEFENDANTS REDLINE RECOVERY SERVICES LLC
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Century Law Group LLP.; Edward O. Lear, Esq. 5200 W. Century Blvd, Suite 345 Los Angeles, California 90045 (310) 642-6900	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%;"></td> <td style="width:33%; text-align: center;">PTF</td> <td style="width:33%; text-align: center;">DEF</td> <td style="width:33%;"></td> <td style="width:33%; text-align: center;">PTF</td> <td style="width:33%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify):
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$** _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 15 USC 1692 et seq.; Unlawful and Abusive Debt Collection Practices

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL INJURY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 510 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV10 0724

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles (CA)	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Fulton (GA)

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles (CA)	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  **Date** January 29, 2010

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))